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Court Upholds Libel Verdict For Goldwater

NEW YORK, July 18 (AP) — The 2d U.S. Court of Appeals upheld today the 1968 judgment against Fact magazine, its publisher and an editor for libeling Sen. Barry M. Goldwater of Arizona.

The publisher, Ralph Ginzburg, claimed that the jury conviction of May 25, 1968, violated constitutional guarantees of free speech and due process. He contended that criticism of public officials is protected by the Constitution.

The magazine issue was published during the 1964 presidential campaign in which Goldwater was the Republican nominee for President. It called into question Goldwater's psychological fitness to be President.